

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

**FILED**

February 09, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

United States of America )

v. )

SAENZ, Oscar Manuel ) Case No.

)

)

)

)

)

Defendant(s)

BY: Fidel Morales  
DEPUTY**EP:23-M-00388-MAT****CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 8, 2023 in the county of El Paso in the  
Western District of Texas, the defendant(s) violated:*Code Section*

Title 18 U.S.C. § 554(a)

*Offense Description*

Whoever fraudulently or knowingly exports or sends from the United States, or attempts to export or send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States, to-wit: sixteen (16) different caliber firearms.

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

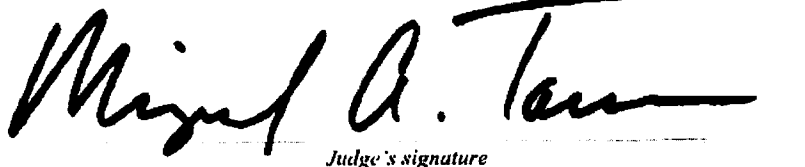
Complaint sworn to telephonically on

February 09, 2023 at 02:00 PM and signed  
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**  
Complainant's signature

Armando Coello, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/09/2023City and state: El Paso, Texas  
Judge's signature

Miguel A. Torres, U.S. Magistrate Judge

Printed name and title

On February 8, 2023, Oscar Manuel SAENZ attempted to exit the United States into Mexico via the southbound lanes at the Bridge of the Americas Port of Entry (POE). SAENZ was the driver and sole occupant of a black 2015 Kia sedan bearing Texas license plates.

Customs and Border Protection (CBP) Officers referred SAENZ to a secondary inspection area at the request of Homeland Security Investigations (HSI) and Alcohol, Tobacco Firearms and Explosives (ATF) Special Agents. SAENZ had previously been identified as an individual possibly involved in the illegal exportation of firearms.

HSI Special Agents (SA) Armando Coello, Ruby Owen and ATF SA Rosalinda Montes responded to the Bridge of the Americas POE. HSI SA Coello read SAENZ his Miranda Statement of Rights in the Spanish language. SAENZ acknowledged in writing that he understood his rights and agreed to speak with agents without the presence of an attorney.

SAENZ stated that on or about November 2022 to date, he had purchased a total of ten (10) firearms. SAENZ stated he stored the firearms in a safe at his aunt's house in El Paso, Texas. Agents asked SAENZ where he currently resided. SAENZ stated he lived in Ciudad Juarez for the past six (6) years at his mother's house. Agents asked SAENZ why he lied on ATF Form 4473 on the residence section. SAENZ stated he did it to match the address listed on his ID card. SAENZ stated he knew that was illegal.

Agents asked SAENZ about the current location of the firearms. SAENZ admitted he had smuggled the firearms into Mexico without acquiring an export license. SAENZ stated he illegally exported the firearms for protection and that the firearms were at his residence in Ciudad Juarez.

Agents asked SAENZ if anyone had asked him to purchase firearms on their behalf or if anyone had asked him to sell any of the firearms. SAENZ stated that no one ever asked him to illegally export firearms. SAENZ stated he had sold three of the firearms for \$1,000 U.S. dollars each to a friend of SAENZ in Ciudad Juarez. SAENZ stated that before selling the firearms, SAENZ took the firearms to a mill shop to have the serial numbers de-faced. The firearms purchaser was a Mexican national who could not legally come into the U.S. or purchase firearms in the U.S. SAENZ stated that with the money that he made, it helped him pay some bills.